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EXTRAORDINARY

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MINISTRY OF FINANCE

(Department of Revenue)

NOTIFICATIONS

CUSTOMS

New Delhi, the 3rd January 1958

**S.R.O. 76.**—The following draft of certain rules which the Central Government proposes to make in exercise of the powers conferred by section 43B of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, is published as required by sub-section (3) of that section for the information of persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 13th January, 1958.

Any objection or suggestion which may be received from any person in regard to the said draft before the said date will be considered by the Central Government.

DRAFT RULES

1. **Short title.**—These rules may be called the Customs Duties Drawback (R. S. Pilferproof Closures) Rules, 1958.

2. **Definitions.**—In these rules, unless the context otherwise requires,—

- "Act" means the Sea Customs Act, 1878 (8 of 1878);
- "goods" means R. S. Pilferproof Closures, 28 millimetre size, manufactured in India or the State of Pondicherry and in the manufacture of which imported material has been used;
- "imported materials" means aluminium sheet of 33 gauge and tinfoil faced cork wads or tinfoil or cork wads, imported into India or the State of Pondicherry on payment of customs duty.

3. **Goods in respect of which drawback may be paid.**—Subject to the provisions of the Act and these rules, a drawback shall be allowed in respect of the imported materials used in the manufacture of the goods exported from India or the State of Pondicherry, or shipped as stores for use on board a ship proceeding to a foreign port.

4. **Rate of drawback.**—The rate of drawback admissible under these rules on the shipment of the goods shall be eight rupees and fifty naye Paise for one thousand units of R. S. Pilferproof Closures.

5. **Manner of allowing drawback.**—Drawback shall be allowed on the shipment of the goods from any port in India or the State of Pondicherry subject to the following conditions, namely:—

- that the shipper shall make a declaration on the relative shipping bill that a claim for drawback under section 43B of the Act is being made; and

(b) that the shipper shall furnish the Customs Collector with a copy of the shipment invoice or any other document giving details of the description, quantity and value of the goods under shipment.

**6. Powers of Customs Collectors.**—For the purpose of these rules, the Customs Collector may require the shipper or manufacturer of the goods to produce any books of accounts or other documents relating to the proportion and quantity of the imported materials used in the manufacture of the goods and the duty paid thereon.

**7. Access to manufactory.**—The manufacturer of the goods in respect of which a drawback is claimed under these rules shall give access to every part of the manufactory to any officer of the Central Government specially authorised in this behalf by the Chief Customs Officer or the Chief Customs Authority, to enable the officer so authorised to inspect the processes of manufacture and to verify by actual check or otherwise the statements made in support of the claim for drawback.

[No. 3.]

**S.R.O. 77.**—The following draft of certain rules which the Central Government proposes to make, in exercise of the powers conferred by section 43B of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, is published as required by sub-section (3) of that section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 13th January, 1958.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

#### DRAFT RULES

**1. Short title.**—These rules may be called the Customs Duties Drawback (Sewing machines) Rules, 1958.

**2. Definitions.**—In these rules, unless the context otherwise requires—

- (a) "Act" means the Sea Customs Act, 1878 (8 of 1878);
- (b) "goods" means sewing machines, manufactured in India or the State of Pondicherry and in the manufacture of which imported materials have been used;
- (c) "imported material" means materials imported into India or the State of Pondicherry on payment of customs duty.

**3. Goods in respect of which drawback may be paid.**—Subject to the provisions of the Act and these rules, a drawback shall be allowed in respect of the imported materials used in the manufacture of the goods exported from India or the State of Pondicherry, or shipped as stores for use on board a ship proceeding to a foreign port.

**4. Rate of drawback.**—(1) The rate of drawback admissible under these rules on the shipment of the goods shall, be the average customs duty paid on the imported materials used in the manufacture of the goods.

(2) Such rate shall be determined by the Central Government (hereinafter in this sub-rule referred to as the Government) at such intervals as the Government may consider necessary on the basis of information furnished by the manufacturer of the goods and verified by the Government in respect of the duty paid on imported materials during such period as in the opinion of the Government is relevant for the purpose.

**5. Manner of allowing drawback.**—Drawback shall be allowed on the shipment of the goods from any port in India or the State of Pondicherry subject to the following conditions, namely:—

- (a) that the shipper shall make a declaration on the relative shipping bill that a claim for drawback under section 43B of the Act is being made; and
- (b) that the shipper shall furnish the customs collector with an additional copy of the shipment invoice or any other document giving details of the description, quantity and value of the goods under shipment,

**6. Powers of Customs Collector.**—For the purpose of these rules, the Customs Collector may require the shipper or the manufacturer of the goods to produce any books of accounts or other documents relating to the proportion and quantity of the imported materials used in the manufacture of the goods and the duty paid thereon, or to furnish any return in connection therewith.

**7. Access to manufactory.**—The manufacturer of the goods in respect of which a drawback is claimed under these rules shall give access to every part of the manufactory to any officer of the Central Government specially authorised in this behalf by the Chief Customs Office or the Chief Customs Authority, to enable the officer so authorised to inspect the process of manufacture and to verify by actual check or otherwise the statements made in support of the claim for drawback.

[No. 4.]

M. A. RANGASWAMI, Dy. Secy.

